

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

ELIE HARFOUCHE,

Plaintiff,

vs.

STARS ON TOUR, INC., et al.,

Defendants.

Case No. 2:13-cv-00615-LDG-NJK

**REPORT AND RECOMMENDATION**

Order - Dkt. # 44

On March 14, 2014, the Court ordered that Plaintiff shall have until May 13, 2014, to complete proper service of process on nominal Defendant Hafía Wehbe. Docket No. 44, at 5. A review of the docket establishes that Plaintiff has not filed proof that he has properly served Defendant Wehbe. Accordingly, the Court recommends that Hafía Wehbe be dismissed with prejudice.

**RECOMMENDATION**

Based on the foregoing reasons, **IT IS RECOMMENDED** that Hafía Wehbe be **DISMISSED** with prejudice.

**NOTICE**

Pursuant to Local Rule IB 3-2, any objection to this Report and Recommendation must be in writing and filed with the Clerk of the Court within fourteen (14) days. The Supreme Court has held that the courts of appeal may determine that an appeal has been waived due to the failure to file objections within the specified time. *Thomas v. Arn*, 474 U.S. 140, 142 (1985). This circuit has also

1 held that (1) failure to file objections within the specified time and (2) failure to properly address and  
2 brief the objectionable issues waives the right to appeal the District Court's order and/or appeal factual  
3 issues from the order of the District Court. *Martinez v. Ylst*, 951 F.2d 1153, 1157 (9<sup>th</sup> Cir. 1991); *Britt*  
4 *v. Simi Valley United Sch. Dist.*, 708 F.2d 452, 454 (9<sup>th</sup> Cir. 1983).

5 DATED: May 22, 2014.

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NANCY J. KOPPE  
United States Magistrate Judge